

Remarks

This communication is in response to the Office Action dated September 6, 2006. Claims 1 through 15 are pending, claims 1 through 9 are withdrawn, and claims 9 through 15 stand rejected at present. Claims 16 through 25 are added herein. Amendments herein are made to place the application in condition for allowance. Applicants respectfully request reconsideration and allowance of this application.

Examiner had required Applicants elect claims 1 through 8, or claims 9 through 15, for prosecution. Applicants elect claims 9 through 15 without traverse.

Amendments have been made to claims 9 and 13 to include the feature that the surfactant prevents the hydraulic fluid from forming an electrically conductive path. Support for this amendment is provided at paragraph [0022] of the specification as filed.

Claim 12 was objected to for certain informalities. An amendment has been made to overcome the issue.

Claims 13 through 15 were rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential steps, namely, the step of protecting the tool. Claim 13 is amended to include the feature that the tool is protected as the surfactant prevents the hydraulic fluid from forming an electrically conductive path. Claims 14 and 15 depend upon amended claim 13.

Claims 9 and 13 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Pat. No. 6,130,190, Gunsell et al. Claims 9 and 13 are amended herein, and to the extent that the Examiner maintains the rejection, Applicants traverse. Gunsell teaches adding surfactants to mixtures of liquid crystals and lubricants, not hydraulic fluids, where the role of the surfactant is friction reduction by interaction with the solid surface (column 2, lines 19 to 46). This is easily distinguishable over Gunsell, since Gunsell does not disclose hydraulic fluids, nor protecting a tool using a micelle forming surfactant to prevent electrically conductive path formation. Therefore, Gunsell does not anticipate Applicant's invention as claimed, and Applicants respectfully request withdrawal of the rejection.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,130,190, Gunsell et al. in view of U.S. Pat. No. 6,461,393, Krull et al. Claim 10 is dependent upon amended claim 9. Insofar that the Examiner maintains the rejection, Applicants traverse. Gunsell teaches lubricant compositions for increasing lubricity of lubricant oils, reducing the wear rate of metals being lubricated, and increasing the load bearing properties of lubricants between various surfaces, for example, within an engine (column 1, lines 6 through 10). Gunsell fails to teach or suggest a hydraulic fluid composition filling the hydraulic chamber of a tool. Therefore, since combining Gunsell with Krull would not result in Applicant's invention, Applicants believe the claims are patentable over the combination of references, and withdrawal of the rejection is appropriate.

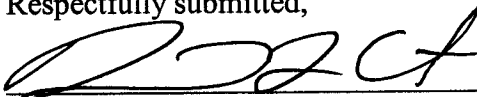
Claims 9 through 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,339,886, Reinhardt, in view of U.S. Pat. No. 3,405,067, Fay. Claims 9 and 13 are amended herein, and the remaining claims depend thereon. To the extent that the Examiner maintains the rejection, Applicants traverse. Fay teaches fire-resistant hydraulic fluids. Reinhardt

teaches tools used in a wellbore. Thus combining Fay and Reinhardt would not result in a tool, nor method of protecting a tool, with a hydraulic fluid composition filling the hydraulic chamber of a tool where the fluid contains a micelle forming surfactant which prevents the formation of an electrically conductive path. Thus, Applicant's claims are patentable over the combination of references. Accordingly, withdrawal of the rejection is requested.

In summary, for the reasons and amendments detailed above, it is submitted that all claims now presented in the application are in condition for allowance, and accordingly, such action is respectfully requested. Amendments made to the independent claims are applicable to the claims dependent thereon. Applicants submit that this paper is fully responsive to the comments in the Office Action and respectfully solicit for this application to be granted in light of these amendments and remarks.

If the Examiner believes that the prosecution of the application would be facilitated by a telephone interview, Applicants invite the Examiner to contact the undersigned at 281-285-8606. The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 04-1579 (56.0775)

Respectfully submitted,



David L. Cate
Attorney for Applicants
Reg. No. 49,091

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SCHLUMBERGER TECHNOLOGY CORPORATION
110 Schlumberger Drive, MD-1
Sugar Land, Texas 77478
281.285.8606
281.285.8569 (fax)